

George Jarvis (J).. Austin, esq. (TBA) 10/31/20
Austin v. TESLA, et al., Case No. 3:20-cv-00800
240 E. Channel St. #1354 Stockton, CA 95202

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE J. AUSTIN, Plaintiff,

OBJECTION TO DEFENDANT
PERSONNEL STAFFING GROUP's MOTION

Re: Dkt. Nos. 40-43, 49

v.

TESLA, et al., Defendants.

Case No. 3:20-cv-00800

George Jarvis (J).. Austin, esq. (TBA) 10/31/20
Austin v. TESLA, et al., Case No. 3:20-cv-00800
240 E. Channel St. #1354 Stockton, CA 95202

Pursuant to *Federal Rules of Civil Procedure, Rules 7, 8, 11, and 12* Plaintiff moves to Object broadly to Defendant Personnel Staffing Group's Motion, and Proposed Order, as he did with Tesla's. Plaintiff files a broad objection to Defendant Personnel Staffing Group's motion as it appears non-responsive to the operative Amended Complaint pleading, and makes several factual, procedural, and legal errors (including those more aptly handled by the finders of fact, in this case the Plaintiff demanded Jury Trial). The operative pleading, which already directly addresses many of the questions, and assertions, raised by Defendant Personnel Staffing Group, and not only states those causes of action upon which relief can be granted under Federal Rules of Civil Procedure, Rule 12(b)(6), but has already passed the *Twombly* and *Iqbal* standards for pleading and the Honorable Judge Chen's Judicial Review.

However, Plaintiff shall further file a detailed and even more precise, and directly responsive, opposition to Defendant Tesla's and Defendant Personnel Staffing Group's proposed order, and motion addressing separately, and directly, each raised issue in reference to both those Defendants, who bear responsibility for its agents, via respondeat superior (including Defamatory Per Se Statements made with malice which destroys any type of immunity, and are fundamentally against public policy, like deceit, and falsely accusing someone of a criminal act, which Defendants did, as well as for not paying the appropriate amount of wages according to their own ledgers, records, and independently verified financial accounts, check numbers, etc. under the threat of perjury by the State of California Auditing and Accounting Department). Further, as with the other causes of action, like Fraud (either misrepresentation, or concealment) can occur in any environment, especially the workplace, when an employer misrepresents (spoken or in writing)

George Jarvis (J).. Austin, esq. (TBA) 10/31/20
Austin v. TESLA, et al., Case No. 3:20-cv-00800
240 E. Channel St. #1354 Stockton, CA 95202

something about a Plaintiff, or their job (i.e. making Defamatory statements about an employee, or fraudulently inducing them to act in a detrimental manner, or against their interests, which Defendants did in fact do). Plaintiff shall in responding, and objecting, to both Personnel Staffing Group, and Tesla, file a detailed response highlighting key facts undergirding the accurate legal claims, and providing context as needed with additional specificity.

Plaintiff shall also file a motion for clarification with the Court to clarify whether Tesla, and other Defendants, have been properly served with operative Amended Complaint pleadings, as ordered by Honorable Judge Chen (as they seem to assert they have not been). Lastly, in response to the series of filings by Defendant, Tesla, (Dockets 40-43, 49) Plaintiff shall file a requested proposed order for proper service in case Defendant Tesla in fact has not been served, or served properly.